

LAW OFFICES

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August 30, 2014

Hon. Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007  
(212) 805-0224  
Fax: (212) 805-7986

Re: United States v. Thomas Alberto Clarke, Case No. 13-Crim-670-PGC.

Dear Judge Gardephe:

I represent the defendant, Tomas Alberto Clarke, in this case. I am writing on behalf of Mr. Clarke to request that the Court modify the conditions of his bond release. The undersigned has conferred with counsel for the United States about the relief being sought through this application made to the Court. This letter motion is filed as a consent motion without objection from the United States.

Mr. Clarke was originally charged through a criminal complaint and was arrested in the Southern District of Florida where he lives and has lived for many years. He was released on bond following an agreement between the parties which the Court in the Southern District of Florida granted Mr. Clarke. He then made his initial appearance in the Southern District of New York where he pled guilty to an information filed by the United States. Mr. Clarke was likewise then granted bond release by the Court in the Southern District of New York upon the transfer of the case to Southern District of New York.

Among the conditions of release, is that the defendant surrenders the passports of his two daughters to United States Pre Trial Services. Mr. Clark did so and the passports are in the possession of pre-trial services. The oldest of Mr. Clarke's daughters shall be taking her driver's license test with the local department of motor vehicles on September 4, 2014. She needs her passport for the test because it is her only means of photo identification. Therefore, we are requesting that the Court modify the conditions of bond release, requiring pre-trial services to return to the Clarke Family the passport of their

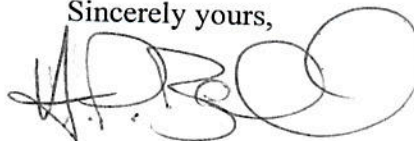
eldest daughter, Alexandra Clarke. Ms. Clarke shall return the passport to pre-trial services within close of two business days from the date of the driver's license test.

On June 27, 2014, the Court granted Mr. Clarke's motion to modify the conditions of release to allow him to first move to his parents' home and then to again move on August 1, 2014 to an apartment at [REDACTED] Miami, Florida 33131. Mr. Clarke's lease had expired and he was required to find a new place to live. Mr. Clarke's father, however, has fallen very ill and his elderly mother is unable to care for him on her own. Therefore, we are requesting that the Court modify Mr. Clarke's conditions of release to allow him to instead live at his parents' residence in order to make it easier to care for Mr. Clarke's elderly and ill father. They recently changed their residence to [REDACTED] Florida 33137. In short, Mr. Clarke's respectfully requests that the Court modify the conditions of his bond release to permit him to reside at [REDACTED] Miami, Florida 33137.

Finally, the addresses set forth in this motion are redacted because this document contains the home address of the defendant's family, which is considered sensitive information under Fed. Crim. P. 49.1. The courtesy copy being provided to the Court's chambers as provided for by the Court's individual practices in criminal cases contains un-redacted addresses so that it may be filed under seal.

Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'H. P. Bell', with a large circular flourish at the end.

Henry P. Bell

Copy: AUSA, Jason Cowley  
AUSA, Harry Chernoff  
John Priovolos, Esq.  
Nora Cruz, U.S. Pre Trial Services Officer